

106TH CONGRESS
2D SESSION

S. 2751

To direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California.

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2000

Mr. REID introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. WASHOE TRIBE LAND CONVEYANCE.**

4 (a) FINDINGS.—Congress finds that—

5 (1) the ancestral homeland of the Washoe Tribe
6 of Nevada and California (referred to in this section
7 as the “Tribe”) included an area of approximately
8 5,000 square miles in and around Lake Tahoe, Cali-

1 fornia and Nevada, and Lake Tahoe was the heart
2 of the territory;

3 (2) in 1997, Federal, State, and local govern-
4 ments, together with many private landholders, rec-
5 ognized the Washoe people as indigenous people of
6 Lake Tahoe Basin through a series of meetings con-
7 vened by those governments at 2 locations in Lake
8 Tahoe;

9 (3) the meetings were held to address protec-
10 tion of the extraordinary natural, recreational, and
11 ecological resources in the Lake Tahoe region;

12 (4) the resulting multiagency agreement in-
13 cludes objectives that support the traditional and
14 customary uses of Forest Service land by the Tribe;
15 and

16 (5) those objectives include the provision of ac-
17 cess by members of the Tribe to the shore of Lake
18 Tahoe in order to reestablish traditional and cus-
19 tomary cultural practices.

20 (b) PURPOSES.—The purposes of this Act are—

21 (1) to implement the joint local, State, tribal,
22 and Federal objective of returning the Tribe to Lake
23 Tahoe; and

24 (2) to ensure that members of the Tribe have
25 the opportunity to engage in traditional and cus-

1 tomary cultural practices on the shore of Lake
 2 Tahoe to meet the needs of spiritual renewal, land
 3 stewardship, Washoe horticulture and ethnobotany,
 4 subsistence gathering, traditional learning, and re-
 5 unification of tribal and family bonds.

6 (c) CONVEYANCE.—Subject to valid existing rights
 7 and subject to the easement reserved under subsection (d),
 8 the Secretary of Agriculture shall convey to the Secretary
 9 of the Interior, in trust for the Tribe, for no consideration,
 10 all right, title, and interest in the parcel of land com-
 11 prising approximately 24.3 acres, located within the Lake
 12 Tahoe Basin Management Unit north of Skunk Harbor,
 13 Nevada, and more particularly described as Mount Diablo
 14 Meridian, T15N, R18E, section 27, lot 3.

15 (d) EASEMENT.—

16 (1) IN GENERAL.—The conveyance under sub-
 17 section (c) shall be made subject to reservation to
 18 the United States of a nonexclusive easement for
 19 public and administrative access over Forest Devel-
 20 opment Road #15N67 to National Forest System
 21 land.

22 (2) ACCESS BY INDIVIDUALS WITH DISABIL-
 23 ITIES.—The Secretary shall provide a reciprocal
 24 easement to the Tribe permitting vehicular access to

1 the parcel over Forest Development Road #15N67
2 to—

3 (A) members of the Tribe for administra-
4 tive and safety purposes; and

5 (B) members of the Tribe who, due to age,
6 infirmity, or disability, would have difficulty ac-
7 cessing the conveyed parcel on foot.

8 (e) USE OF LAND.—

9 (1) IN GENERAL.—In using the parcel conveyed
10 under subsection (c), the Tribe and members of the
11 Tribe—

12 (A) shall limit the use of the parcel to tra-
13 ditional and customary uses and stewardship
14 conservation of the Tribe and not permit any
15 commercial use (including commercial develop-
16 ment, residential development, gaming, sale of
17 timber, or mineral extraction); and

18 (B) shall comply with environmental re-
19 quirements that are no less protective than en-
20 vironmental requirements that apply under the
21 Regional Plan of the Tahoe Regional Planning
22 Agency.

23 (2) REVERSION.—If the Secretary of the Inte-
24 rior, after notice to the Tribe and an opportunity for
25 a hearing, based on monitoring of use of the parcel

1 by the Tribe, makes a finding that the Tribe has
2 used or permitted the use of the parcel in violation
3 of paragraph (1) and the Tribe fails to take correc-
4 tive or remedial action directed by the Secretary of
5 the Interior, title to the parcel shall revert to the
6 Secretary of Agriculture.

○